

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

THERESA MARIE SIMEONE, Personal
 Representative of the Estate of Albert Francis
 Simeone, Jr., Deceased, and THERESA MARIE
 SIMEONE, In Her Own Right, and
 MARY ANN LENGYEL, Personal
 Representative of the Estate of George Lengyel,
 Deceased, and MARY ANN LENGYEL,
 In Her Own Right,

Plaintiffs,

V.

**BOMBARDIER-ROTAX GmbH, Individually
and as a Joint Venture and/or d/b/a Rotax, and
BOMBARDIER INC., Individually and as a Joint
Venture and/or d/b/a Rotax,**

Defendants.

: CIVIL ACTION NO. 02CV4852
:
: JURY TRIAL DEMANDED

PLAINTIFFS' PROPOSED VOIR DIRE

1. This case arises from crash of an Interplane Skyboy Ultralight aircraft on July 22, 2000 near the York Airport in Thomasville, Pennsylvania that resulted in the deaths of Albert Francis Simeon and George Lengyel. Does anyone know or has anyone heard or read anything about this accident? What is the source of that knowledge or information? Does anyone know or has anyone heard or read anything about the lawsuit which has been filed as a result of this accident? What is the source of that knowledge or information?

2. The plaintiffs in this case are Theresa Maria Simeone and Mary Ann Lengyel. Mrs. Simeone has brought this action individually, for her three children, and on behalf of the estate of her husband, Albert Francis Simeone. Mrs. Lengyel has

brought this action individually, and on behalf of the estate of her husband, George Lengyel, and her three children. Does anyone know or is anyone related to the plaintiffs or any of their family members?

3. The defendants in this case are Bombardier-Rotax and Bombardier, Inc. Bombardier-Rotax is located in Austria and manufactures Rotax engines that are used in airplanes, personal watercraft, snowmobiles, and all-terrain vehicles. Among other things, Bombardier, Inc. manufactures personal watercraft, snowmobiles, all-terrain vehicles. Have you or any member of your family or friends or acquaintances ever worked for, purchased any products from, or had any business relationship with either defendant? If so, please explain.

4. The lawyers in this case are Arthur Alan Wolk and Alan D. Mattioni of The Wolk Law Firm for the Plaintiffs and Robert Kelly and Christopher McClanahan of the law firm Wilson, Elser, Moskowitz, Edelman & Dicker for the Defendant. Does anyone know or has anyone ever had contact with any of the attorneys or their law firms? If so, how do you know them and what was the nature of the contact that you had with them?

5. Does anyone own any Ultralight, snowmobile or all-terrain vehicle manufactured by Bombardier, Inc.?

6. Is there anyone who has flown in an Ultralight aircraft?

7. Is there anyone who has taken pilot training in the Ultralight aircraft?

8. Is there anyone who has owned an Ultralight aircraft?

9. Is there anyone who has owned a Rotax engine?

10. Is there anyone who has repaired or maintained a Rotax engine?

11. Is there anyone who has any opinion one way or the other about Rotax engines or Ultralight aircraft?

12. In connection with your employment or otherwise, is anyone or their immediate family, relatives or friends involved in flying or any aviation-related business? If so, what is the nature of that involvement?

13. Does anyone know or is anyone related to anyone who works for the Federal Aviation Administration or National Transportation Safety Board or another agency charged with investigating airplane accidents?

14. Has anyone been in or does anyone know or is anyone related to anyone who has been involved in a flying accident or near accident?

15. Does anyone work in a business that provides services to or does business with airlines or the aviation industry?

16. Is there anyone who has ever owned an airplane?

17. Is there anyone who is a pilot, flight instructor, or flight attendant or has had any training as a pilot or flight attendant?

18. Is there anyone who knows or is related to anyone who is a pilot, flight instructor, or flight attendant or has had any flight instruction or training in aircraft?

19. Is there anyone who in connection with their employment or otherwise is trained in accident investigation, even if you do not do it for a living now? If so, what knowledge or training do you have?

20. Does anyone have any training or experience in the field of aircraft maintenance? Or have a close family member or friend who is involved with aircraft maintenance?

21. Does anyone have any training or experience with 2-stroke engines? Or have a close family member or friend who has training or experience with 2-stroke engine?

22. Does anyone have any training or experience as an automobile mechanic? Or have a family member or friend who is an automobile mechanic?

23. Has anyone ever worked on an engine?

24. How do you feel about small airplanes? People that fly in small airplanes?

25. Does anyone have any experience with ultralight airplanes?

26. How do you feel about ultralight airplanes? People that fly in ultralight airplanes?

27. Has anyone ever flown in a small airplane? An ultralight aircraft? An Interplane Skyboy airplane? A Challenger airplane? How was the experience?

28. Does anyone live near an airport? How do you feel about the airport?

29. Has anyone been in or does anyone know or is anyone related to someone who has been involved in a flying accident or near accident?

30. In connection with your employment or otherwise, is anyone or their immediate relatives involved in the business of investigation or adjustment of claims? If so, what is the nature of that involvement?

31. Does anyone have any legal training or work in a legal related field? If so, what type of training or work do you do?

32. The witnesses who may testify in this case are as follows: (See Witness Lists) Does anyone know any of the witnesses who will testify in this case? If so, what is the nature of that knowledge and/or relationship?

33. Has anyone here or anyone's family or a friend ever been involved in an incident in which personal injuries or death were suffered and you or your family or your friend was being blamed for the incident? Was a claim or lawsuit filed over this? Did it go to trial? Were you pleased with the outcome? Would this prior claim influence you in any way in serving as a juror or reaching a verdict in this case?

34. How many of you have had a family member or close friend involved in some kind of incident whereby someone was seriously injured or killed by a defective product?

35. Has anyone ever had prior jury duty experience? If so, in what court did you serve as a juror, what type of case and for which side was a verdict rendered?

36. If chosen, you will be instructed by the court to decide this case on the basis of the evidence introduced at trial and this court's instructions on the law. Is there anyone that is not able to do that?

37. If the evidence and the law warrant an award for plaintiff, is there anyone, for any reason, who cannot award money damages to the wife and children of someone who was lured in an accident?

38. Is there anyone reluctant to serve on the jury because it will interfere with their employment, or some other responsibility or obligation that might prevent them from hearing the evidence in this case for approximately one and one-half weeks, if necessary?

39. Does anyone have any difficulty with vision or hearing or any other physical impairment that would make it difficult for them to observe and understand the

witnesses who testify, including witnesses who might use videotapes in conjunction with their testimony?

40. Is there any reason known to you why you are unable to sit and render a just, fair and impartial verdict? If so, please state these reasons.

41. Have any of you or members of your family ever been a party or a witness in a lawsuit?

42. Does anyone use the internet regularly? Would you be willing to avoid aviation subjects on the internet while you are a juror in this case?

43. Would anyone have a problem not discussing what you hear in the courtroom until after the case is over?

44. Is there any reason known to you why you are unable to sit and render a just, honest, fair and impartial verdict? If so, please state these reasons.

45. If you were the plaintiffs in this case would you be comfortable with a juror like yourself on the jury?

THE WOLK LAW FIRM

/s/ Alan D. Mattioni
Arthur Alan Wolk, Esquire
Philip J. Ford, Esquire
Christopher J. Cerski, Esquire
Alan D. Mattioni, Esquire
Attorneys for Johnson Plaintiffs